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App. No. 10/777,667
Amdt. Dated September 6, 2005
Reply to Office Action of June 3, 2005
Atty. Dkt. No. 8590-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alsobrook, et al.

Title: METHODS AND APPARATUS FOR
PROCESSING VEGETABLES

Appl. No.: 10/777,667

Filing Date: February 10, 2004

Examiner: Sarah Louise Kuhns

Art Unit: 1761

<p>CERTIFICATE OF MAILING BY FACSIMILE Date of Deposit: September 6, 2005 I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the MAIL STOP AMENDMENT, Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450, at telephone No. 571-273-8300.</p> <hr/> <p>Bernard L. Kleinke (Printed Name) <i>Bernard L. Kleinke</i> (Signature)</p>

AMENDMENT TRANSMITTAL

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir or Madam,

Transmitted herewith is:

[X] A Reply and Amendment in the above-identified application

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been
established.

339689.1

App. No. 10/777,667
 Amdt. Dated September 6, 2005
 Reply to Office Action of June 3, 2005
 Atty. Dkt. No. 8890-101

[X] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee	
Total Claims:	22	24	=	0	x	\$ 50.00	=	\$0.00	
Independents:	4	3	=	1	x	\$200.00	=	\$200.00	
First presentation of any Multiple Dependent Claims:					+	\$360.00	=	\$0.00	
CLAIMS FEE SUBTOTAL:							=	\$200.00	
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):							=	\$100.00
								\$0.00	
CLAIMS FEE TOTAL:							=	\$100.00	

[X] A Credit Card Payment Form check in the amount of \$100.00 is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

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Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date: September 6, 2005

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
401 West A Street, Suite 2400
San Diego, CA 92101-7915

Telephone No.: (619) 231-3666
Facsimile No.: (619) 231-6629
Email: kleinke@dsmwlaw.com

Respectfully submitted,

By: 

Bernard L. Kleinke
Attorney for Applicant
Registration No. 22,123

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REPLY AND AMENDMENTMAIL STOP AMENDMENT
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir or Madam,

In response to the Office Action dated June 3, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks and Arguments begin on page 8 of this paper.

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